Inland Wetlands Commission

MINUTES

Regular Meeting

June 24, 2015

7:00 p.m. Main Level Meeting Room

MEMBERS PRESENT: Mr. Bedini, Mr. LaMuniere, Mr. Papsin,

 Mr. Wadelton

MEMBER ABSENT: Mr. Davis

ALTERNATE ABSENT: Ms. Cheney

STAFF PRESENT: Mr. Ajello, Mrs. Hill

ALSO PRESENT: Mr. Neff, Mr. Carpanzano, Mr. Studer,

 Mr. Harris, Mr. Wyrick, Mr. Charles

 Mr. Bedini called the meeting to order at 7:00 p.m. and seated Members Bedini, LaMuniere, Papsin, and Wadelton.

MOTION: To add the following subsequent business not

 already posted on the agenda: V. New Applications:

 A. Kinney Hill Properties, LLC/43 Wykeham Road/

 #IW-15-23/Install Septic System. By Mr. Wadelton,

 seconded by Mr. Papsin, and passed 4-0.

Consideration of the Minutes

MOTION: To accept the 6/10/15 Regular Meeting minutes

 as submitted. By Mr. Wadelton, seconded by

 Mr. Papsin, and passed 4-0.

MOTION: To accept the 6/17/15 Harris site inspection

 minutes as submitted. By Mr. Wadelton,

 seconded by Mr. Papsin, and passed 4-0.

Pending Applications

Carter/141 Shinar Mt. Rd. (54 Walker Brook Rd.)/#IW-15-14/Repair Retaining Wall: It was noted that written approval from the holder of the conservation easement had not yet been submitted.

Edwards/14 Church St./#IW-15-20/Addition to Existing Dwelling:

Mr. LaMuniere thought the Commission had thoroughly reviewed the application at the last meeting, noting that there had been no questions and a site inspection had not been necessary.

MOTION: To approve Application #IW-15-20 for an

 addition to an existing dwelling submitted

 by Mr. Edwards, 14 Church Hill Road per the

 plans, “Proposed Addition Plan,” by Arthur

 H. Howland and Assoc., dated 5/27/15 and

 the document, “Additional Construction
 Details,” no signature or date; the permit

 shall be valid for two years and is subject

 to the following conditions:

 1. that the land use office be notified at

 least 48 hours prior to the commencement of

 work so the Wetlands Enforcement Officer can

 inspect and approve the erosion control

 measures,

 2. that the property owner give the contractor

 copies of both the motion of approval and

 approved plans prior to the commencement of

 work, and

 3. any changes to the plans as approved must

 be submitted immediately to the Commission for

 review;

 in considering this application the Commission

 has determined that no reasonable and prudent

 alternatives exist, and believes that there is

 no reasonable probability of significant adverse

 impact on any wetlands or watercourses.

 By Mr. LaMuniere, seconded by Mr. Papsin, passed 4-0.

Andryc/139 West Shore Road/#IW-15-21/Reconstruct Boathouse: Mr. Neff, engineer, and Mr. Wyrick, architect, were present. Mr. Neff submitted his plan, “Schematic Foundation Plan,” dated 6/18/15, which included a cross section of the proposed foundation and an updated erosion and sedimentation control plan, revised to 6/2/15, which added temporary shoring for the concrete slab deck. He explained the shoring would be removed when the concrete cured. Mr. Neff noted the cantilevered deck would be 8 inch reinforced concrete and would not extend farther out into the lake than the existing deck. The setback from the face of the seawall to the boathouse was noted and Mr. Neff said this distance had nothing to do with the thickness of the foundation wall; that the setback varied because the wall was skewed as shown in the diagram.

MOTION: To approve Application #IW-15-21 to reconstruct

 the Andryc boathouse at 139 West Shore Road per

 the “Schematic Foundation Plan,” dated 6/18/15

 and the “Soil Erosion and Sedimentation Control

 Plan,” dated 6/4/15 and revised to 6/23/15, both

 by Mr. Neff; the permit shall be valid for two

 years and is subject to the following conditions:

 1. that the land use office be notified at least

 48 hours prior to the commencement of work so the

 Wetlands Enforcement Officer can inspect and

 approve the erosion control measures,

 2. that the property owner give the contractor

 copies of both the motion of approval and

 approved plans prior to the commencement of work,

 3. any changes to the plans as approved must be

 submitted immediately to the Commission for review;

 in considering this application, the Commission

 has determined that there is no reasonable probability of significant adverse impact on any wetlands or watercourses.

 By Mr. Papsin, seconded by Mr. Wadelton, passed 4-0.

Harris/254 and 258 New Milford Turnpike/#IW-15-22/Addition to

Restaurant, Install Two Parking Lots, Install Septic System, River Walk, etc.: Mr. Harris submitted the plan, “Inland Wetland, Lot Line Revision, Proposed Development, Stormwater, and Erosion Control Plan,” by Studer Design Associates, Inc., revised to 6/24/15 and this was reviewed. It was noted the proposed septic system had been delineated on this plan. Mr. LaMuniere asked if there were catch basins proposed where the runoff flows towards Rt. 202 and whether porous pavement to help control runoff had been considered for the proposed parking area on the Rt. 202 side of the property. Mr. Harris said he was willing to consider porous pavement along the border of this parking area. Mr. LaMuniere said he was “OK” with the proposed crushed stone parking area with biofilter on the opposite side of the river. Mr. Studer stated the purpose of the proposed rain garden was to control the quality, not the quantity, of the runoff. He said that although there would be little increase in the amount of runoff, it would be a problem to capture it completely. He offered to pitch the pavement towards Rt. 202 and also said he could pitch some of the runoff towards the rain garden. Mr. Papsin asked about the life of the biofilter. Mr. Studer said a maintenance plan was proposed and that it would last a long time if properly maintained. Mr. Studer noted the pump chamber for the proposed septic system had been moved due to a setback issue. Mr. LaMuniere asked if the property has ice build up in the winter. Mr. Harris said there is no ice build up on the Rt. 202 side. There were no other questions.

MOTION: To approve Application #IW-15-22 for an addition

 to the restaurant, installation of a new septic

 system, installation of two parking areas, river

 walk, etc. submitted by Mr. Harris, 254 and 258

 New Milford Turnpike per the plans, “Inland

 Wetland, Lot Line Revision, Proposed Development,

 Stormwater, and Erosion Control Plan,” by Studer

 Design Associates, Inc., dated 6/9/2015 and

 revised to 6/24/15; the permit shall be valid

 for two years and is subject to the following

 conditions:

 1. that the land use office be notified at least

 48 hours prior to the commencement of work so the

 Wetlands Enforcement Officer can inspect and

 approve the erosion control measures,

 2. that the property owner give the contractor

 copies of both the motion of approval and approved

 plans prior to the commencement of work, and

 3. any changes to the plans as approved must be

 submitted immediately to the Commission for review;

 in considering this application, the Commission

 has determined that no reasonable and prudent

 alternatives exist, and believes that there is no

 reasonable probability of significant adverse

 impact on any wetlands or watercourses.

 By Mr. Wadelton, seconded by Mr. Papsin, passed 4-0.

New Application

Kinney Hill Properties, LLC./43 Wykeham Road/#IW-15-23/Install Septic System: This application had been submitted on Tuesday and had not yet been reviewed for completeness.

MOTION: To table discussion of Kinney Hill Properties, LLC./

 43 Wykeham Road/#IW-15-23/Install Septic System to

 the next meeting. By Mr. Wadelton, seconded by Mr.

 LaMuniere, and passed 4-0.

Other Business

Enforcement

 The following matters were briefly noted:

The Gunnery, Inc./22 South Street: Fields one and two had been rough graded and the seeding of the side hills will begin soon.

Sen/116 Shearer Road/Unauthorized Activity in a Wetlands and Watercourse: No plans for restoration had been submitted. Mr. Ajello expects to receive them in time for the next meeting.

Santangelo/77 West Morris Road/Unauthorized Deposition of Material: The property owner has not responded to Mr. Ajello’s enforcement letter. Mr. Ajello said he would take photos to present at the next meeting. The possibility of filing a notice of violation on the Land Records was discussed.

Administrative Business

 Revision of the Inland Wetlands and Watercourses Regulations was briefly discussed. In light of the information from a state assistant attorney general concerning court rulings regarding requests to amend permits, Mr. Wadelton recommended the Commission consult with Atty. Olson about how Mr. LaMuniere and Mrs. Hill should proceed when drafting language to revise Section 8 of the Regulations. It was also noted there had been a recent court decision regarding the role of interveners who are now required to be specific in their complaints and to provide proof at public hearings. Mr. Bedini also noted that the Commission must explain on the record the reason for each decision it makes.

 There were no communications.

MOTION: To adjourn the meeting. By Mr. LaMuniere.

 Mr. Bedini adjourned the meeting at 7:44 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill

Land Use Administrator